



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

WESTLAKE SERVICES, LLC d/b/a  
WESTLAKE FINANCIAL  
SERVICES,

Plaintiff,

vs.

CREDIT ACCEPTANCE  
CORPORATION,

Defendant.

Case No. 2:15-cv-07490 SJO (MRWx)

**ORDER GRANTING JOINT  
STIPULATION**

Honorable S. James Otero

1        The Court has reviewed the Parties' "Stipulation and Joint Motion Re:  
2 Extension of Time for Discovery and Testimony from Third-Party David Ball in  
3 light of Fifth Amendment Assertions and Ongoing BOE Investigation." Good cause  
4 appearing, the Court orders as follows:

- 5        1. Credit Acceptance may have until Friday, June 30, 2017 to depose Mr. Ball.
- 6        2. Neither Westlake nor its experts may rely on or use any testimony, including  
7                at summary judgment or trial, that Mr. Ball may later provide on subject  
8                matters on which Mr. Ball invoked his Fifth Amendment right against self-  
9                incrimination during his deposition.
- 10        3. At summary judgment or trial, Westlake may not rely on or use any  
11                documents from Mr. Ball or Ball Automotive other than those produced to  
12                Credit Acceptance before Mr. Ball's deposition.<sup>1</sup> Notwithstanding anything  
13                to the contrary contained herein, Mr. Ball and Ball Automotive shall have a  
14                continuing obligation to produce to Credit Acceptance any documents  
15                responsive to the extant subpoenas to the extent Mr. Ball or Ball Automotive  
16                gains possession, custody or control of any such documents currently in the  
17                possession of the BOE.

18        **IT IS SO ORDERED.**



19        DATED: July 24, 2017

20        HON. S. JAMES OTERO  
21                UNITED STATES DISTRICT JUDGE

22  
23        <sup>1</sup> Per this Court's May 23, 2017, order, Westlake's experts may not rely on Mr. Ball's  
24                testimony or any documents produced by him in preparing their supplemental reports,  
25                which are to be served by June 23, 2017. (Order Granting Joint Stip. ¶ 3 [ECF No. 182]  
26                ("Each expert is entitled to supplement his or her report by adding citations to the  
27                following: Westlake's experts may supplement their reports with citations to documents  
28                received from Mr. Roberts and documents and testimony from Messrs. McCluskey and  
              Knoblauch, and Credit Acceptance's experts may supplement their reports with citations to  
              documents received from Mr. Ball and Ball Automotive and testimony from Mr. Ball.").)